

August 7, 2009

VIA ELECTRONIC FILING

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

RE: CC Docket No. 99-200

To Whom It May Concern:

Intrado Inc. and its affiliates ("Intrado") hereby respond to recent *ex parte* communications initiated by TeleCommunications Systems, Inc. ("TCS") as evidenced by letter dated July 17, 2009 filed by TCS counsel in connection with the above-referenced matter.

TCS seeks a blanket waiver of the application of 47 CFR § 52 of the Commission's Rules - - and also suggests a tortured interpretation of the "Navin Letter"¹ that accompanies that Rule - - such that an eligible user of emergency p-ANI routing numbers need not be certificated as a telecommunications carrier and, apparently, a user need not demonstrate any qualifications whatsoever¹ in the jurisdictions in which such numbers are deployed.

Attached hereto and incorporated herein is Intrado's original response to the Petition. Intrado hereby reiterates its objections to the request for waiver and also responds to the following items raised in the TCS *ex parte* letter:

TCS asserts that the waiver "is necessary to protect public safety by ensuring the continued efficient provision and deployment of VoIP E911 service." This is simply not true. Deployments have mostly been accomplished in the U.S. without harm or loss of protection to public safety. One might even argue the waiver request is moot at this point. What is truly necessary to protect public safety? Policies that leave in place reasonable regulation over numbering resources - - particularly those numbers used to route emergency calls - - regardless of the technology used to deploy services. Put another way: there is no reason unique to VoIP telephony that can be advanced as justification for disregarding the appropriate form of regulation found in Part 52 and the Navin Letter.

¹ See letter dated September 8, 2007 from Thomas J. Navin, Chief, Wireline Competition Bureau to Thomas M. Koutsy, Chair, North American Numbering Council and Amy L. Putnam, Director, Number Pooling Services, NeuStar, Inc. (NeuStar), in its capacity as the Interim Routing Number Authority (Interim RNA).

¹ TCS seems to be suggesting that, if an entity is certificated in as few as one state, that should serve as adequate qualification for that entity to use pANIs in all jurisdictions.

TCS asserts that “the grant of the requested waiver would result in a significant conservation of numbering resources” which is entirely misleading. Efficiencies have been achieved without the waiver, and in any case, number pooling isn’t a unique characteristic of un-certificated entities. Granting a waiver has little, if anything, to do with whether an entity is certificated, and the waiver won’t help or hurt such efficiencies, i.e., certificated entities can just as easily and effectively pool pANIs.

TCS asserts that the application of Section 52.15(g)(2) and the Navin Letter would prove onerous, if not impossible. It is clearly not impossible to meet state requirements (as evidenced by the fact that Intrado and its affiliates have done exactly that in over forty jurisdictions); and the potential for inconvenience and expense does not make the task so onerous as to justify a waiver as required by 47 C.F.R. § 1.925(b)(3)(i). Intrado urges the Commission to see the request for what it is: a self-serving proposition attempting to avoid regulation.

The waiver request was made in 2007 when VoIP deployments were still being aggressively pursued. Since that time, VoIP E911 has been extensively deployed in the U.S. and is now more in a “maintenance mode” including use of pANIs. Thus, there is no urgency to the waiver request. If the Commission is to act, it would be appropriate to address the matter on a permanent basis rather than the “interim” circumstances at play in 2007. Such a policy should take into consideration the many important issues surrounding emergency communications as raised in Intrado’s original response to the petition along with Intrado’s recommendation to continue to require entities having access to numbering resources to comply with state requirements as well as Part 52 and the Navin Letter.

Respectfully submitted,



Craig W. Donaldson
Senior Vice President and Regulatory Counsel

CWD/hss

cc: Nicolas Alexander
Jennifer Schneider
H. Russell Frisby, Jr.

Attachment